

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

KIMBERLY A. WHEELER,

Plaintiff,

v.

MIAMI VALLEY CAREER  
TECHNOLOGY CENTER,

Defendant.

:

Case No. 3:20-cv-141

JUDGE WALTER H. RICE

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DECISION AND ENTRY ADOPTING UNITED STATES MAGISTRATE  
JUDGE'S REPORT AND RECOMMENDATIONS (DOC #12);  
OVERRULING DEFENDANT'S MOTION TO DISMISS (DOC. #10);  
AND SUSTAINING PLAINTIFF'S REQUEST FOR LEAVE TO FILE AN  
AMENDED COMPLAINT (DOC. #11)

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Based on the reasoning and citations of authority set forth by United States Magistrate Judge Sharon L. Ovington in her Report and Recommendations, as well as upon a thorough de novo review of this Court's file and the applicable law, the Court adopts said judicial filing, Doc. #12. Although the parties were notified of their right to file objections to the Report and Recommendations, and of the consequences of failing to do so, no objections were filed within the time allotted. The Court overrules Defendant's Motion to Dismiss, Doc. #10, and sustains Plaintiff's request for leave to file an Amended Complaint Doc. #11.<sup>1</sup>

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<sup>1</sup> Plaintiff filed her Amended Complaint on September 11, 2020.



Date: January 11, 2021

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WALTER H. RICE  
UNITED STATES DISTRICT JUDGE